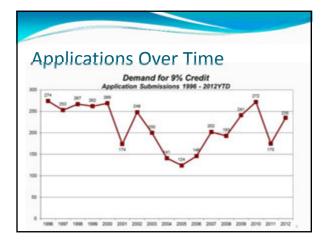


Topics

- Recap 2012 of 9% competition
- Regulation Changes for 2013
- The federal and State credit set-asides and apportionments

Recap of 2012 9% Competition

- Approximately \$88.6 million in annual federal credit awarded in 2012
 - Plus \$63.8 million in State credits (up from \$22.7)
- 235 applications received during two rounds



2012 9% Competition Results

- 102 projects awarded credits (105 in 2011)
- Success rate of applicants: 43% (down from 60% in 2011)
- Will produce 6,393 units (up from 6,150 in 2011)
- Average project size: 63 units (59 in 2011)

Regulation Changes for 2013

Adopted by Committee on January 23 2013

- Section 515 rural eligibility evidenced by either:
 - Community on USDA 515 Designated Places list, or
 - Letter from USDA California Multifamily Director
- Citation: Regulation Section 10315(c)

7

Regulation Change 2

- RHS 514 and 515 new construction projects must compete in RHS apportionment
 - If unsuccessful, application cascades into rural set-aside competition
- Citation: Section 10315(d)

8

Regulation Change 3

- At-risk housing type goal increased from 5% to 15%
 - At-risk projects will not be at a competitive disadvantage under the first tiebreaker so early in the process
 - • Does \underline{not} affect at-risk set-aside: Still 5% of federal credits
- Citation: Section 10315(h)

- New geographic apportionments in 2014
- Eleventh region created in 2013: City of Los Angeles
 - City of Los Angeles: 16.7% apportionment
 - Balance of Los Angeles County: 16.3%
- Citation: Section 10315(i)

10

Regulation Change 5

- New appraisal language for new construction projects
 - Third-party purchases or agreements need <u>not</u> have land appraisals display actual acquisition costs in Sources and Uses budget
 - Appraisal needed for donations and related-party sales
- Appraisals still needed for acquisition basis and rehabilitations
- Citation: Section 10322(h)(9)

Regulation Change 6

- Cost certifying CPAs must:
 - Be independent
 - Effective <u>July 1, 2013</u>, have had no advisory or consulting role on the project
 - Provide most recent peer review to TCAC
- Citation: Section 10315(i)(2)(B)

- Re-syndicating special needs projects may claim acquisition basis in 9% credit applications
 - Joining SRO and tax credit projects near end of compliance period in exception to the prohibition
- Citation: Section 10322(k)

13

Regulation Change 8

- A sponsor's application cannot succeed by that sponsor withdrawing another, higher-scoring application
- Citation: Section 10325(c)

14

Regulation Change 9

- Public funds scoring
 - Assumed <u>principal</u> from assumed or existing public debt
 - Not publicly guaranteed private loans
 - Interest rate no more than 4% simple, or AFR if compounding
- Citation: Section 10325(c)(1)(C)

- New scoring scale for general partner and management experience
 - Lowest number of projects to score any points increased
 - General partners new to California must hire Californiaexperienced management company
- Citation: Section 10325(c)(2)

16

Regulation Change 11

- Negative points may be earned for serious, uncorrected noncompliance in 10% or more of projects or units
 - Level 3 physical deficiencies
 - Over-income residents
 - · Over-charging rents
- Citation: Section 10325(c)(3)(R)

17

Regulation Change 12

- For amenity proximity, establish 250 feet as:
 - The maximum property entryway length beyond which the measuring arc must be struck from site's body
 - The distance from an amenity embedded within a larger commercial area to which the arc may be struck from the subject property
- Citation: Section 10325(c)(5)(A)

- Deletes "transit oriented development strategy" from transit scoring
- Specifies headway service is Monday through Friday
- Creates exception for planned rail station arriving within one year of the housing development completion
- Citation: Section 10325(c)(5)(A)(1)

10

Regulation Change 14

- Explicitly lists grocery portions of larger stores as amenity points-eligible
- Must meet relevant size requirements for neighborhood market or full-scale grocery (5,000 or 25,000 square feet respectively)
- Citation: Section 10325(c)(5)(A)(4)

20

Regulation Change 15

- Broadens availability of public school points to projects wherein 30% of the units are three-bedroom or larger
- Rather than to "Large Family" housing type projects only
- Citation: Section 10325(c)(5)(A)(5)

- Competitively scored medical clinics must now accept MediCal, Medicare for senior-only projects, or Healthcare for the Homeless payments
- Citation: Section 10325(c)(5)(A)(8)

22

Regulation Change 17

- Within geographic apportionments, eliminates requirement that 50% of requested amount remain
- Permits skipping only when:
 - Recipient project has score equal to the first skipped application
 - Recipient's tiebreaker at least 75% of first skipped
- Citation: Section 10325(d)(2)

23

Regulation Change 18

- Permits TCAC Executive Director to waive market study value ratio for rehabilitation projects with existing rental assistance or operating subsidies
- Citation: Section 10325(f)(1)(B)

- Minimum construction standards to permit:
 - Clarified energy efficiency measures
 - Fiberglass-faced exterior doors
 - · Various flooring thicknesses
 - 100-yard scattered site distances viewed as single property for resident management
- Citation: Section 10325(f)(7)

25

Regulation Change 20

- Requires general partners and management companies with less California experience to receive TCAC training
 - "Partner" means contract with or otherwise enter into a relationship with
- Citation: Section 10326(g)(5)

26

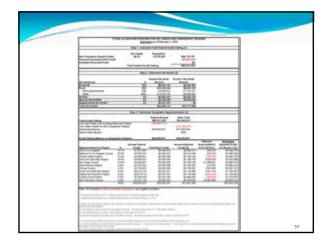
Regulation Change 21

- Clarifies prevailing wage basis limit boost only when public funding source requires prevailing wages
- Provides parking boost for two-story on-site structures, beyond just podium
- Relocates Local Development Impact Fee boost from basis limit definition to "Exceptions to limits"
- Citation: Section 10327(c)(5)(A)

• Codifies TCAC policy regarding loss of rental subsidies

• Citation: Section 10337(a)





Step 1: Total Federal Credit

	Estimated as of February 1, 2013 Step 1 - Calculate Total Federal Credit			
	Per Capita	Population	Credits	
New Pop. Based Credits	\$2.25	37,678,563	\$84,776,767	
Forward Committed 2013 Credit			(\$3,865,547)	
Returned Credit			\$0	
	Total Federal C	redit Ceiling	\$80,911,220	

Step 2: Set Asides

		Annual Set Aside	Round 1	
Set Asides	Amount		Set Aside Amount	
Nonprofit	10%	\$8,091,122	\$4,045,561	
Rural	20%	\$16,182,244	\$8,091,122	
RHS Apportionment	14%	\$2,265,514	\$1,132,757	
Other	86%	\$13,916,730	\$6,958,365	
At Risk	5%	\$4,045,561	\$2,022,781	
Special Needs/SRO	4%	\$3,236,499	\$1,618,225	
Supplemental Set Aside	3%	\$2,427,337	N/A	
Total Set Asides	42%	\$33,982,713	\$15,777,688	

Step 3: Geographic Apportionments

	Federal	
	Annual	State Total
Total Credit Ceiling	\$80,911,220	\$91,630,511
Less Set Asides	(\$33,982,713)	
Less State Credits for 4%		
Competitive Rds.		(\$13,744,577)
Balance for 9% Regions	\$46,928,507	\$77,885,934
State Credit Adjuster		65%
Credit Ceiling Balance to		
Geographic Regions	\$46,928,507	\$50,625,857

					Adjusted	Estimated
Apportionments		Annual Federal	Total State	Annual Adjusted	Surplus or Deficit	Adjusted Credit
by Region	%	Credit	Credit	Credit	From 2012	for Round 1
City of LA	16.7	\$7,837,061	\$8,454,518	\$8,682,512	\$44,316	\$4,385,57
Balance LA Co.	16.3	\$7,649,347	\$8,252,015	\$8,474,548	\$43,310	\$4,280,58
Central Valley	10	\$4,692,851	\$5,062,586	\$5,199,109	(\$99,819)	\$2,499,73
N/E Bay Area	10	\$4,692,851	\$5,062,586	\$5,199,109	\$325,344	\$2,924,89
San Diego Co.	10	\$4,692,851	\$5,062,586	\$5,199,109	\$1,286,821	\$3,886,37
Inland Empire	8	\$3,754,281	\$4,050,069	\$4,159,287	\$15,575	\$2,095,21
Orange County	8	\$3,754,281	\$4,050,069	\$4,159,287	\$781,830	\$2,861,47
S/W Bay Area	6	\$2,815,710	\$3,037,551	\$3,119,466	\$191,124	\$1,750,85
Capital/Northern	6	\$2,815,710	\$3,037,551	\$3,119,466	(\$430,453)	\$1,129,28
Central Coast	5	\$2,436,425	\$2,531,293	\$2,599,555	(\$80,902)	\$1,218,87
San Francisco	4	\$1,877,140	\$2,025,034	\$2,079,644	\$2,563,088	\$3,602,91
	100	\$46.928.507	\$50.625.857	\$51.991.093		\$30,635,78





2013 9% LIHTC Application

Checklist Items 1 - 19

Basic Thresholds, Market Studies, & Feasibility

Nicola HiI Program Analyst - Development California Tax Credit Allocation Committee nhil@sto.ca.gov

Application Deadlines

First Round Wednesday, March 6 Second Round Wednesday, July 3







Organizing Folders TAB 1 - Demonstrated Site Control Name TAB1 - Appraisal.pdf TAB1 - Purchase & Sale Agreement.pdf TAB1 - Title Report.pdf

Excel Application Changes

Applicant Statement

- Expansion of signed applicant statement on pages 1-2
- Removal of signature blocks on most Attachments
- By completing the applicant statement, the applicant now certifies that each area of the application meets TCAC's requirements



Excel Application Changes

Main Application

- Checklist: A checkbox for the applicant stating that they reviewed the market study
- Page 6: Space for a 3rd General Partner information
- Page 7: Space for energy consultant information
- Page 10: An area to provide narrative information about tenant population and/or public subsidies
- Page 17: Average affordability calculation
- Page 21: Drop-down menu to provide additional information about units with Section 8



Excel Application Changes

Sources and Uses Tab

- New cross-reference function comparing source totals to permanent financing loan totals
- Additional line items

As always, please be sure that the Sources and Uses budget is consistent with the permanent financing section AND that amounts in basis are correct and consistent with CPA certification in Tab 19



Excel Application Changes

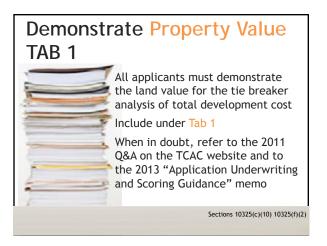
Basis and Credits Tab

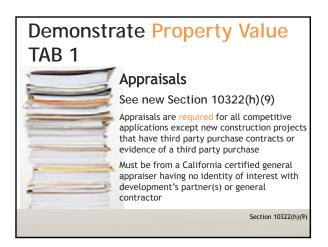
Determination of Federal Credit

- Applicable percentage for all projects is back to 9.00%
- Applicable percentage for acquisition basis is still 3.20%
- Applicants are required to use the above percentages
- New line item for forgoing DDA/QCT 130% basis boost
- Cross reference to the project's threshold basis limit









Demonstrate Property Value TAB 1 Appraisals Acquisition-Rehabilitation: An "as—is" appraisal prepared within 120 days before or after the execution of purchase contract New Construction: When required, an "as—is" appraisal prepared within one year of tax credit application due date

Financial Feasibility

TAB 2

Financing Plan Cash Flow Projections

- Residential 15 year proforma in TC/ Excel Application.
- Commercial may not support residential.

Utility Allowance Estimates

- -26 CFR Section 1.42-10
- CUAC questions contact:Ammer Singh ASingh@sto.ca.gov



Section 10322(h)(15), (16), & (21) and Section 10325(f)(5)

Financial Feasibility

TAB 2

See Section 10327 for TCAC's regulatory requirements on Financial Feasibility and Determination of Credit Amounts

TCAC analysts review all projects for financial feasibility during our review of Tabs 1 - 19



Section 10322(h)(15), (16), & (21) and Section 10325(f)(5

Financial Feasibility

TAB 2

TCAC Underwriting Requirements

- DCR at/above 1.15
- DCR at/below 1.25 OR 8% Gross Income in first 3 years
- Positive 15 year cash-flow



Section 1032

Set-Aside Designation TAB 3

At-Risk

- Qualify for all housing type requirements

REGULATION CHANGE: Increased housing type goal to 15%

Non-profit

- Qualified under IRC Section 42(h)(5)
- Homeless assistance priority

Special needs/SRO

- Qualify for all housing type requirements

REGULATION CHANGE: 9% re-syndicating special needs projects may now claim acquisition basis

Section 10315(a)-(h),10322(i)(8)-(10)

Set-Aside Designation TAB 3

Rural

- Must have rural status per 2013 TCAC Methodology
- RHS priority (514, 515) New Construction

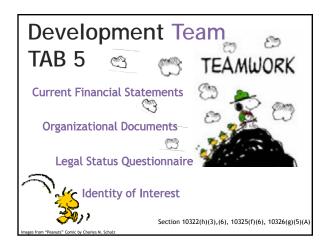
REGULATION CHANGES:

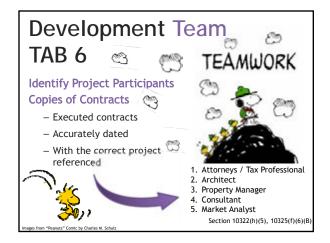
- Codified TCAC's Practice for Determining Rural Status
- Projects with RHS 515 or 515 funding MUST apply under the RHS 514/515 Priority Set-Aside

Rural-related questions? Contact me! (nhil@sto.ca.gov)

Section 10315(a)-(h),10322(i)(8)-(10)







Acquisition Credit TAB 7

Chain of title report

10 year rule - 3rd Party Tax Professional's

Opinion (refer to IRC Section 42(d)(2)(B)(ii))



Section 10322(i)(3)(A),(B),(C)

Rehabilitation Credit TAB 8

"As Is" appraisal

- Includes land value "as if vacant"
- Done 120 days before or after purchase agreement execution or transfer of ownership

Underwriting

- "As is" appraised value
- Purchase price



Section 10322(h)(9

Acquisition & Rehabilitation Credit - TAB 8

Capital Needs Assessment (CNA)

- Within 180 days of the application deadline

Rehabilitation Summary - Attachment 8

- Address immediate rehabilitation needs to be done and any planned long term replacements
- Greater of \$20,000 in hard costs/unit or 20% of adjusted basis



Section 10322(i)(4)(B)

Rehabilitation Credit TAB 9

Tenant-Occupied Housing

- Income, rent and family size information for existing tenants
- Tenant Relocation Plan
- Explanation of Relocation Requirements
- Detailed Budget with Identified Funding Sources
- When required, compliance with Uniform Relocation Assistance and Real Property Acquisition Policy Act

Section 10322(i)(5),(6)

TABS 10 & 11

Minimum Construction Standards & Project Size Limitations

TCAC Executive Director must approve waiver requests BEFORE the deadline date.

Please submit all waiver requests in a timely manner.

Section 10322(i)(3)(A),(B),(C)

Site & Project Information TAB 12

Physical Description

- Current use, adjacent property
- Unique features
- Site, parcel map, color photos

Project description

 Architectural drawings - project and unit square footage, bedroom count, laundry facilities, play area, commercial space, etc.

Architect Certification

Section 10322(h)(8)(A)-(F)

2013	Ap	plication	Worksho	р



Market Studies for TCAC & CDLAC

"A comprehensive forward-looking analysis of the housing market in a defined market area" (-NCHMA)

Analysis should be unbiased, objective, and supported with clear data and explanation when needed.

Goal: Is there NEED and DEMAND for the project in the area? Must meet the requirements of Sections 10322(h)(10),

10325(f)(1)(B), 10326(g)(1)(B) of TCAC Regulations



Tenant Rents 10%+ Below Market



Value Ratio (\$/SqFt) ≤ Market



Absorption Rate & Stabilized Occupancy

Value ratio waiver now available for 9% acquisition-rehabilitation projects with existing federal or state rental assistance or operating subsidies.



Section 10325(f)(1)(B)

Market Study Components

1) Cover Letter

- Date of report
- Date of Site Inspection
- Name and Phone Number of Analyst
- Identity of Interest
- Statement of Professional Opinion
- Multifamily Rental Housing Experience
- Number of Projects in the PMA
- Number of Physical Inspections in the PMA
- Complete Market Study Index



Market Study Components Background Information

2) Executive Summary & Conclusions

- 3) Project Description
- 4) Delineation of Market Area
- 5) Market Area Economy & Population

Market Study Components

Need and Demand

- 6) Demand Estimate
- 7) Absorption Rate
- 8) Competitive Rental Market
 - Existing and Planned Affordable Housing Comparables
 - Matrices in Excel Format
 - Comparables beyond 1 Mile
- 9) Appendices



Market Study Questions?

General market study questions, contact me (nhil@sto.ca.gov)

?

Questions specific to your region, contact your regional analyst.

Local Approvals TAB 14

Verification of Zoning

- Current
- Zoned for intended use
- Within maximum density

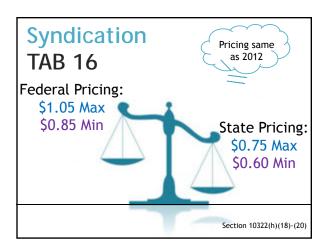


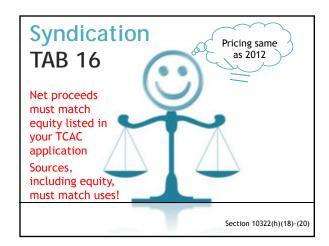




Section 10325(f)(4)







Evidence of Subsidies TAB 17

- Commitments showing the funds are secured or have been renewed
- Source of the subsidy
- Annual amount
- Term
- Number of units
- Expiration date



Section 10325(h)(22)

Threshold Basis Limit Boosts - TAB 18



- Prevailing Wages Required by Public Awarding Body (20%)
- Parking Beneath Residential Units (7%)
- Day Care Center (2%)
- 100% Special Needs (2%)
- 95% Upper Floors Elevators (10%)
- 95% Opper Floors Elevators (10%)- 1+ Energy efficiencies 10% max
- Seismic upgrading 15% max
- Toxic or other environmental 15% max
- Local Development Impact Fees
 Section 10327(c)(5)(A),(B)

Eligible Basis Certification TAB 19

- IRS Technical Advice Memorandum (TAMs)
- Meets requirements of IRC Section 42(h)(1)(E)
- If rehabilitation of existing structures is involved, meets minimum requirements.
- This letter is particularly important for projects approaching the 130% high cost limit!



Section 10322(h)(17) & 10325(f)(10)

Questions?



Contact Your Regional Analyst



www.treasurer.ca.gov/ctcac

POINT SECTION

Checklist Items 20-27

Anthony Zeto azeto@treasurer.ca.gov

Point Spread Maximum Minimum 9% applications 148 123 4%+State Credit 126 112 applications § 10305(h)



Leveraging – Cost Efficiency Maximum 20 points New Construction At-Risk Substantial Rehabilitation

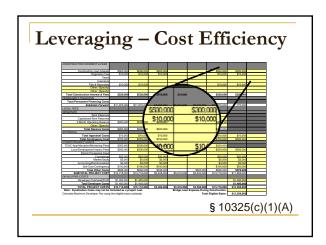
Leveraging – Cost Efficiency

(Adjusted Threshold Basis Limit - Actual Eligible Basis)
Adjusted Threshold Basis Limit

One point (1 point) for each one percent (1%)



§ 10325(c)(1)(A)

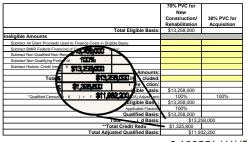


Leveraging – Credit Reduction

- Example: 10%
 - Qualified Basis X 10% = Reduction
 - Qualified Basis Reduction = Adjusted Qualified Basis
- One point (1 point) for each one percent (1%)

§ 10325(c)(1)(B)

Leveraging – Credit Reduction



§ 10325(c)(1)(B)

Leveraging - Public Funds Tab 20

Total Committed Public Funds, Fee Waivers, or Value of Donated Land
Total Development Costs



One point (1 point) for each one percent (1%)

§ 10325(c)(1)(C)

General Partner Experience Tab 21

- Maximum 6 points (7 projects, >3 yrs.)
- Nonprofit/Special Needs Set Aside and Special Needs Housing Type (4 Special Needs projects, >3 yrs.)
- Attachment 21
- CPA Certification positive cash flow, funded reserves

§ 10325(c)(2)(A)

General Partner Experience Tab 21

- New in 2013
 - No Points for 1-2 Projects < or >3 years
 - < two (2) active <u>California</u> Low Income Housing Tax Credit Projects



§ 10325(c)(2)(A)

Management Experience

Tab 22

- Maximum 3 points (11 projects, >3 yrs.)
- Nonprofit/Special Needs Set Aside and Special Needs Housing Type (4 Special Needs projects, >3 yrs.)
- Attachment 22, Management Agreement
- Nationally Recognized Housing Tax Credit Compliance Entity (2 points)

§ 10325(c)(2)(B)

Management Experience Tab 22

- New in 2013
 - No Points for 2-5 Projects < or >3 years
 - < two (2) active <u>California</u> Low Income Housing Tax Credit Projects

§ 10325(c)(2)(B)

Housing Needs

Tab 22

- 10 Points
- 9% Projects <u>MUST</u> meet Housing Type
- Document how each requirement is met
 - Attachment 4(A)-(E)
 - Architectural Drawings











10325(c)(4)

Site Amenities

Tab 23

- Maximum 15 points
- Requirements:
 - Map with distance measurements
 - Point of reference for bus stop photo
 - Clear color photos
 - Contact person & contact information

§ 10325(c)(5)(A)

Site Amenities

Tab 23

- Transit Amenities (up to 7 points)
 - Changes in 2013:
 - "Rail Station"
 - Regional or State Transportation Improvement Program





§ 10325(c)(5)(A)(1)

Site Amenities

Tab 23



- Public Park/Community Center (up to 3 points)
- Book-Lending Public Library (up to 3 points)
 - Inter-branch lending





§ 10325(c)(5)(A)(2)-(3)

Site Amenities

Tab 23



- Grocery Store Amenities (up to 5 points)
 - Square Footage Certification
 - Changes in 2013
 - Large Multi-purpose stores



§ 10325(c)(5)(A)(4)

Site Amenities

Tab 23



- Public School (up to 3 points)
 - Attendance Boundary
- Senior Center (up to 3 points)
- Special Needs or SRO Facilities (up to 3 points)



§ 10325(c)(5)(A)(5)-(7)

Site Amenities

Tab 23

- Medical Clinic (up to 3 points)
 - Changes in 2013
 - Medi-Cal/Medicare/Health Care for the Homeless
- Pharmacy (up to 2 points)
- High Speed Internet Service (up to 2 points, 3 points for Rural)



§ 10325(c)(5)(A)(8)-(10)

Service Amenities

Tab 24

- Large Family, Senior, At-Risk:
 - Service coordinator
 - Services specialist
 - Adult classes: educational, health/wellness, skill building
 - Health & wellness services programs
 - Licensed childcare
 - After school program



§ 10325(c)(5)(B)

Service Amenities

Tab 24

- Special Needs, SRO:
 - Case manager
 - Service coordinator, Services specialist
 - Adult classes: educational, health/wellness, skill building
 - Health or behavioral health services provided by licensed organization or individual
 - Licensed childcare
 - After school program

§ 10325(c)(5)(B)

Service Amenities

Tab 24

- Application Components:
 - Evidence of services to be provided and description (MOU)
 - Evidence of physical space
 - Services sources and uses budget
 - Position descriptions
 - Service Provider Experience Chart (Attachment 24)

§ 10325(c)(5)(B)

Service Amenities

Tab 24

Budget reflect level of service.



§ 10325(c)(5)(B)

Sustainable Building Methods Tab 25

- New Construction/Adaptive Reuse:
 - LEED/Green Communities/Greenpoint Rated Multifamily Guidelines (5 points)
 - Energy Efficiency beyond Title 24 (up to 5 points)
 - Beyond minimum requirements (up to 5 points)

§ 10325(c)(6)(A)-(C)

Sustainable Building Methods Tab 25

- Rehabilitation:
 - Improvement over current (up to 10 points)
 - Additional project measures (3 points)
 - Sustainable building management practices (3 points)
 - Individual metering (3 points)

§ 10325(c)(6)(D)-(E)

Lowest Income

- Maximum 52 points
 - Points Table
 - Additional 2 points for 10% @ or below 30% AMI
 - Spread 30% units across the various bedroom-count units

§ 10325(c)(7)

2013 Application Workshop	ition Worksho	icati	Appl	013	2(
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Lowest Income

- Example:
 - 94 units
 - 41 three-bedroom units = 5 units
 - 21 two-bedroom units = 3 units
 - 32 one-bedroom units = 2 units

Units at 30% AMI = 10 units

§ 10325(c)(7)(B)

Readiness to Proceed

Tab 26



- Maximum 20 points
 - Enforceable commitment for <u>all</u> construction financing
 - Environmental Review Clearance
 - HUD form 7015.15 and 7015.16
 - All necessary public approvals except for building permits
 - Design review approval

§ 10325(c)(8)

Readiness to Proceed

Tab 26

Appeal Period



- 30 days beyond application deadline
- 90-day Letter of Intent (LOI) deadline
- Required if <u>any</u> points are received
- 180-day deadline
- Required if <u>maximum</u> points are received

§ 10325(c)(8)

Misc. Federal and State Policies Tab 27

- Maximum 2 points
 - State credit substitution (2 points)
 - Universal design (1 point)*
 - Smoke free residence (1 point)
 - Historic tax credits (1 point)*
 - QCT with revitalization plan (2 points)*
 - Eventual Tenant Ownership (1 point)*

§ 10325(c)(9)

Final Tie Breaker Calculation of self score Includes space for additional explanatory information Committed permanent public funds defraying residential costs Total residential project development costs ((1 - Requested unadjusted eligible basis Total residential project development costs) /3) § 10325(c)(10)

Final Tie Breaker

- First Ratio (Public Funds)
 - Community Foundation/Charitable Foundation
 - Value of land & improvements contributed from an <u>unrelated</u> 501(c) organization
 - Numerator increased by 25% of the percentage of subsidy-assisted tax credit units

§ 10325(c)(10)

Final Tie Breaker



- Second Ratio
 - 1 minus ratio of requested unadjusted eligible basis to total residential project development costs
 - Divide by 3



Final Tie Breaker



- Mixed-Use Projects
- Commercial Cost Pro-ration
- Tranche B
 - Underwriting Interest Rate
 - Contract Rents



Final Tie Break is a second to the contract of the contract of

Final Tie Breaker

Final Tie Breaker scoring questions, please contact:



